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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Loo Tze Ming,

Plaintiff,

v.

Fitness Anywhere LLC,

Defendant.

No. CV-22-02042-PHX-SPL

**PLAINTIFF LOO TZE MING'S
MOTION TO CONTINUE STAY**

Plaintiff Loo Tze Ming hereby submits this Motion to Continue Stay pursuant to this Court's order of September 11, 2023 (Doc. 20), and states as follows:

FACTS

On September 11, 2023, this Court ordered "that this action is stayed but shall be dismissed without further notice on December 6, 2023, unless prior thereto, a motion to continue the stay is filed or the Court is advised that the bankruptcy stay has been lifted and the parties are ready to proceed with this case." (Doc. 20.) Counsel for Plaintiff has checked today the status of the bankruptcy stay in the case that is the subject of the previously-filed Notice of Bankruptcy (United States Bankruptcy Court for the Central District of California, Case No. 8:22-bk-10949-SC). According to the record in that case (Docket Report dated Dec. 4, 2023 listing recent filings attached hereto as Exhibit 1), the bankruptcy stay in that matter has not been lifted as of today. Defendant has still not entered an appearance in this Action or otherwise plead responsively.

ARGUMENT

In light of the fact that the bankruptcy stay has not yet been lifted in the California

1 bankruptcy case, Plaintiff respectfully requests that the stay be extended for an additional
 2 three (3) months. Section 11 U.S. Code § 362 of the Bankruptcy Code imposes a broad
 3 automatic stay of a wide range of actions against a debtor in bankruptcy. As noted previously
 4 in its response to this Court's earlier Order to Show Cause, Plaintiff requests, out of an
 5 abundance of caution as it relates to the California bankruptcy proceeding and a desire not
 6 to violate any stay that might be in place, that this Arizona case be stayed pending the lifting
 7 of any automatic stay in the Bankruptcy. Whereupon, Plaintiff shall promptly proceed with
 8 its request for entry of default and motion for default judgment ordering transfer of the
 9 disputed domain name to the Plaintiff, along with other relief available under 15 USC §
 10 1114(2)(d)(iv)-(v).

11 Wherefore, Plaintiff respectfully requests that this Court enter an Order, a proposed
 12 form of which is filed concurrently and attached hereto, extending the stay through March
 13 6, 2024.

14 RESPECTFULLY SUBMITTED this 4th day of December, 2023.

15 MotoSalas Law, PLLC:

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 17 By: /s/Kenneth M. Motolenich-Salas
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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of December, 2023, I electronically transmitted the foregoing document and all exhibits thereto to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants of record in this matter.

By: /s/ Kenneth M. Motolenich-Salas